

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>MICHAEL E. DAVIS</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	
<b>U.S. BANK NATIONAL ASSOCIATION</b>	:	
<b>As Trustee for the Structured Asset</b>	:	
<b>Investment Loan Trust, 2005-11</b>	:	<b>NO. 12-5943</b>

**ORDER**

**AND NOW**, this 24th of January, 2013, upon consideration of Defendant's Motion to Dismiss (Document No. 14), the plaintiff's response, and the defendant's reply, it is **ORDERED** that the motion is **GRANTED**.

**IT IS FURTHER ORDERED** as follows:

1. Count I of the Amended Complaint is **DISMISSED**; and
2. Count II of the Amended Complaint is **DISMISSED WITHOUT PREJUDICE**.

/s/ Timothy J. Savage  
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TIMOTHY J. SAVAGE, J.